

ASSEMBLY BILL

No. 2405

Introduced by Assembly Member Buchanan

February 19, 2010

An act to amend Section 12990 of the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

AB 2405, as introduced, Buchanan. Delta flood protection.

Existing law governing levee maintenance in the Sacramento-San Joaquin Delta requires the Department of Water Resources to develop and submit to the Central Valley Flood Protection Board, for adoption by the board, criteria for the maintenance and improvement of levees that are not project facilities under the State Water Resources Law of 1945, known as nonproject levees, as prescribed. If the department finds that the annual routine maintenance work specified in the plans approved by the board is not being performed in accordance with the agreement entered into between the local agency and the board, the department is authorized to establish a maintenance area and thereafter annually maintain the nonproject levee in accordance with those plans and subject to specified provisions of law.

This bill would make technical, nonsubstantive changes to that authorization.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 12990 of the Water Code is amended to
2 read:

1 12990. Whenever the department finds that the annual routine
2 maintenance work specified in the plans approved by the board is
3 not being performed in accordance with the agreement entered
4 into between the local agency and the board, the department may
5 establish a maintenance area in accordance ~~with the provisions of~~
6 Chapter 4.5 (commencing with Section 12878) of Part 6 of this
7 division, as nearly as the ~~same~~ *provisions of that chapter* may be
8 applicable, except that the work to be performed shall be the routine
9 annual maintenance work for the nonproject levee as specified in
10 the plans approved by the board. Upon the formation of a
11 maintenance area, the department shall thereafter annually maintain
12 the nonproject levee in accordance with ~~such plans~~ *the plans*
13 *approved by the board* and subject to ~~the provisions of~~ Chapter
14 4.5 (commencing with Section 12878) of Part 6 of this division,
15 as nearly as the ~~same~~ *provisions of that chapter* may be applicable.